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9 Attorneys for Plaintiffs

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 **STATE OF CALIFORNIA et al.,**

Plaintiffs,

Case No.: C 06 4333 PJH

v.

Case No.: C 06 6436 PJH

13 **INFINEON TECHNOLOGIES AG et al.,**

Defendants.

**Plaintiffs' Objections to Defendants'  
Notice of Depositions**

and

14 **STATE OF NEW YORK,**

Plaintiff,

v.

15 **MICRON TECHNOLOGY, INC. et al.,**

Defendants.

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21 Plaintiff States hereby object to the Notices of Deposition, dated March 30, 2007, filed by  
22 counsel for defendants Micron Technology, Inc. and Micron Semiconductor on behalf of the  
23 Micron defendants, as well as the Hynix, Infineon, Elpida, NEC, Mosel Vitelic and Nanya  
24 defendants, as follows:

25 1. Plaintiff States object to the Notices on the ground that they are overbroad and  
26 unreasonably burdensome in scope because the Notices would require Plaintiff States to present  
27 hundreds – if not thousands – of individuals to testify on the specified topics.

28 2. Plaintiff States object to the Notices on the ground that they are unreasonably

1 burdensome in scope because the Notices purport to require the witnesses to be prepared to  
2 testify about specific purchases with a degree of detail that is neither reasonable or realistic.

3 3. Plaintiff States intend to prove such claims through a sample of the state and local  
4 entities they represent. To the extent these Notices seek discovery for entities not included in the  
5 survey, Plaintiff States object to the Notices on the ground that they seek testimony that is neither  
6 admissible nor reasonably calculated to lead to the discovery of admissible evidence.

7 4. Plaintiff States object to the Notices on the ground that they seek testimony that is  
8 irrelevant.

9 5. Plaintiff States object to the Notices on the ground that they are vague and  
10 ambiguous, unduly burdensome and beyond the proper scope of depositions pursuant to Fed. R.  
11 Civ. P. 30(b)(6), in particular, with respect to subject matter: (a) No. 6, which purports to require  
12 Plaintiff States to present a witness who is prepared to testify about any and all documents that  
13 are produced; (b) No. 9, which purports to require Plaintiff States to present a witness who is  
14 prepared to testify about the "use" of the Centralized Contract.

15 6. Plaintiff States object to the Notices on the ground that they are unreasonably  
16 burdensome to hold the deposition(s) in California, rather than in the witness(es)' home state.

17 7. Plaintiff States object to the Notices on the ground that they seek testimony that is  
18 appropriately a topic for expert discovery which has not yet begun, and which is not properly  
19 sought under Fed. R. Civ. P. 30(b)(6).

20 8. Plaintiff States object to the Notices on the ground that they are duplicative of  
21 other discovery in this litigation or in the related litigations.

22 9. Plaintiff States object to the Notices on the ground that many of the subjects  
23 therein are more appropriately a subject of third party discovery.

24 10. Plaintiff States object to the Notices on the ground that some of the information  
25 sought by testimony is already known, or can be easily ascertained, by defendants themselves.

26 \* \* \*

27 Plaintiff States are willing to meet and confer to discuss these objections and to determine  
28 if it is possible to narrow the scope of the Notices to subjects that are properly within the scope of

1 Fed. R. Civ. P. 30(b)(6) as to which a witness or witnesses can testify without undue burden.

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Dated: April 30, 2007

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Respectfully submitted,

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/s/  
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DEPUTY ATTORNEY GENERAL

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